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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/037,548	01/04/2002	Lev Korenevsky		7129

7590

07/07/2004

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EXAMINER

BALSIS, SHAY L

ART UNIT	PAPER NUMBER
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1744

DATE MAILED: 07/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

10/037,548

Applicant(s)

KORENEVSKY, LEV

Examiner

Shay L Balsis

Art Unit

1744

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 18 June 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: \_\_\_\_\_.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: 8-10.

Claim(s) rejected: 1-4 and 6-10.

Claim(s) withdrawn from consideration: 5 and 11-17.

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☐ Other: \_\_\_\_\_

Continuation of 2. NOTE: The added limitation to claim 1, stating that the bearing portion and the outer portion are "directly and firmly connected" using mating connection means is a new limitation that has not been searched and therefore requires further consideration. The limitation that the bearing portion and the outer portion must be directly connected raises new issues.

In addition, the after final amendment is in incorrect form. First, the applicant amended the claims based on the first after final amendment filed on 4/21/04. The first after final amendment was not entered into prosecution and therefore, any amendment that is filed after needs to be based off the claims filed on 2/3/04. Therefore the set of after final claims just received on 6/18/04 needed to be amended from the set of claims dated 4/21/04. Secondly, with regards to status identifiers, applicant needs to write out all the limitations for each claim that is still in prosecution. All claims that are currently amended, previously amended or original, need to be completely written out in the set of claims.

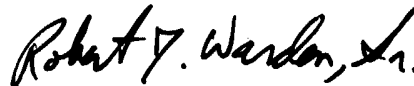
For example:

Claim 2 (original): A paint roller frame as claimed in claim 1 further comprising two resilient washers adjacent to said inner and outer annular faces to significantly improve sealing of the core's interior and to create a strain that prevents unscrewing of the outer portion and, therefore, further ensures a secure sleeve squeezing during painting.

Thirdly, claims earn the withdrawn status if they are with regards to a restriction. All other claims that have been eliminated from prosecution receive the canceled status. For example, claims 11-17 are correctly identified as withdrawn however claims 5 and 10 should be identified as canceled.

Applicant has two options at this point in the prosecution. 1) applicant may file an appeal on the final rejection dated 3/24/04 2) applicant can refile application. If applicant files an appeal, the applicant must fix the claims to be in proper form when compiling the brief. If applicant decides to refile, the applicant must still submit new proper claims instead of entering after final claims.

Feel free to call if you need any assistance or need clarification.



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